

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	LEE <i>et al.</i>	Examiner:	Mallari, P.
Serial No.:	10/824,941	Group Art Unit:	3735
Filed:	April 15, 2004	Docket No.:	GUID.105PA
Confirmation No.:	7555	Customer No.:	51294
Title:	SYSTEM AND METHOD FOR CHARACTERIZING PATIENT RESPIRATION		

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this paper is being electronically transmitted by EFS-WEB to the United States Patent and Trademark Office on February 2, 2009.

By: Tracey M. Dotter/  
Tracey M. Dotter

RESPONSE TO RESTRICTION REQUIREMENT  
and  
PRELIMINARY AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Examiner's requirement for restriction dated December 31, 2008, Applicants elect invention (II), species (A1), species (B1), and species (C1) as set forth more fully below. Claims encompassing all these elections are claims 38-42, 44, 46-48, 50-72, 75-81, and 83-86, with at least claims 38, 39, 41, 46-48, 50-72, 75-81, and 83-86 being generic.

Claims 1-7, 9-27, and 30-37 are being canceled without prejudice, and no claims are being amended or added. Claims 38-48, 50-72, 75-81, and 83-86 will thus be pending in the application after entry of this amendment, with claims 43 and 45 being withdrawn as directed to a non-elected species.

**AMENDMENTS TO THE CLAIMS** are reflected in the listing of claims which begins on page 2 of this paper.

**REMARKS/ARGUMENTS** begin on page 7 of this paper.